

**ORDER OF REMAND**  
**PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)**

Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Commissioner's request to remand this action for further proceedings, and it appearing that the Plaintiff consents, this Court hereby:

**REVERSES** Commissioner's decision under sentence four of 42 U.S.C. § (g) with a remand of the cause to Commissioner for further proceedings as outlined above. Melkonyan v. Sullivan, 501 U.S. 89, 99-100 (1991). The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure. As there remains no justiciable dispute pending between the parties, upon the Clerk's entry of judgment, the Court's jurisdiction over this case shall terminate except for purposes of consideration and determination of motions for attorney's fees, including any motion for such fees under the Equal Access to Justice Act (EAJA). Plaintiff shall have thirty (30) days from final judgment to file a motion for attorney's fees under EAJA in this matter.

Dated this 15<sup>th</sup> day of July, 2005.

  
DAVID C. KEESLER  
UNITED STATES MAGISTRATE JUDGE